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Immigration Officials and Police Capture Fifteen Celestials and Part of the Crew-Schooner Had Been Painted Black and Disguised as a Fisherman

PROVIDENCE, R. I., Oct. 10 .- In the darkness of the early hours of this morning, when the pattering of a driving rain on the tin roofs of the wharf sheds along the river front drowned every other sound, the schooner yacht Frolic, which for more than two weeks has been pursued by United States revenue cutters as it flitted up and down the Atlantic coast, attempted to get rid of its load of forty-two Chinamen and smuggle them ashore. By the sheerest socident the plot failed.

Fifteen of the aliens have been captured. The captain and one member of the crew have been arrested, and from one of the men the police have a confession which tells of what happened on the trim little pleasure craft with its Mongolian cargo stowed in its dark hold since it left Newfoundland toward the end of September.

All the carefully laid plans might have neceeded had not a laborer in a coal yard here stumbled over a prostrate form in the dark. Earl Rush, employed at the New York, New Haven and Hartford Railroad Company's wharf, came upon two of the wet, chattering and very much frightened Chinese. They were lying motionless beside the wall of a shed. Rush stirred one of the bodies with his foot. The man did not move. Rush then bent down and turned him over, and the fellow looked up. The slight sounds brought a voice from out of the dark.

"Don't touch those fellows! I'm looking out for them!

Rush hunted up the night watchman, and together they notified the police. Half an our later a squad of patrolmen, under the lead of an immigration officer, came spon fifteen of the Chinamen, all dressed in American clothes, pattering along through the half lighted streets toward the Chinese quarter. They arrested the entire outfit and then Deputy Marshal Stone formed a posse and went after the vessel.

They found her about four miles down the bay and about 300 feet off shore. On board were two members of the crew. The Marshal arrested both. One man, who seemed to act as captain at the time. said his name was Jenkins, and the other, who afterward made the confession, gave his name as Duncan. All the rest of the crew had deserted, and the police began a search

At police headquarters Duncan told his story of the strange cruise of the yacht. Smuggling, he said, was not in his line, and he had shipped for the summer on the Frolic with honest intentions. The yacht, he said, had at first gone about from port to port, pausing a short time at each place, and evidently out only for pleasure. On September 1, however, he had been ordered to go with the Frolic to Halifax, where he said he supposed he was to receive a cruising party to go to Labrador.

The owner himself remained aboard, but there was nothing suspicious in his actions, Duncan said, until they were off Placentia.

Late one night, the sailor went on, rowboats with single lights in their bows began to put out toward the Frolic. Trip after trip they made until forty-two Chinamen had been crowded into the little cabin. Immediately. Duncan says, he objected and wanted to go ashore. The owner, he says, told him that he was on a vacht and had shipped for the summer, and that he would have to stay appard.

The scene which the sailor then told of was like an echo from the days of Capt.
Kidd. The owner, he said, in a towering
rage whipped out a pistol and told him to be
still. Shortly thereafter the Frolic weighed r and hore out to sea with at her cargo of Orientals being taken one by one down into the hold

It was on September 27 that the yacht left the Newfoundland coast. The story of her adventures from then until the deputy marshal stepped on the deck just before daybreak this morning was told

before daybreak this morning was told only in outline by Duncan.

Off Massachusetts a revenue cutter picked them up. Spreading sail they hustled off toward the open sea, bearing slightly down the coast. They knew they could be seen from the lighthouses, and dragging out every inch of canvas they tried to double their speed. All one day they beat off under a brisk breeze, while the captain watched the line of smoke which the cutter was leaving to mark the course of the chase. Next morning the small speek on the horizon

Next morning the small speck on the horizon line at their stern had disappeared. The pursuit had brought them down off Long Island. More outters were after them there and they again put out to sea and continued their roying up and down the coast. Off Green Island they ran into ful because the injury had reduced their speed. They kept well out in the open, until finally it was decided that that could not continue indefinitely and that they had best attempt some dec.sive step, though for the time they were safe from inspection. The captain set out to effect a complete disguise. The yacht's rig was changed, and like an old time terror of the Spanish Main she was painted a jet black. Canvas was laid on her decks and barrels were placed along her rails. Thus in a fisherman's out-

fit the schooner yacht, designed for a very different kind of cruise, began to feel her way cautiously toward Narragansett. That was yesterday morning. As she passed Newport there was a busy little revenue cutter steaming about which caused them anxiety. But the cutter paid no at-tention to them and they passed on in, and at 10 o'clock yesterday morning she splashed her anchor overboard in this port. One by one her sails came down and were furled into neat white rolls. There was not much activity aboard and only now and then passing vessels saw any one move across the decks. All day she lay still and there was no suspicion on shore of the load she had aboard.

When the harbor was almost deserted the work of disembarking the Chinamen was begun. For the first time since Duncan's futile attempt to escape the dory was lifted from the decks. Quiet orders were passed to the men, and two of them felt their way over the side of the Frolic and dropped to the seats of the tender. In squads of four the frightened Chinamen were brought up out of the hold and led across the deck. One by one they were passed down to the men in the dory.

No lights were on the tender as she put off and made for the shore. Those on the Frolic waited until the dory again bumped alongside. It was a long distance to the When the harbor was almost deserted

alongside. It was a long distance to the spot where the Frolic was landing its load, and each trip, it is bejieved, took nearly two hours. Toward morning, however, the last of the Chinamen were lowered into the boat. Jenkins and Duncan were left alone on board:

The men who had been rowing the dory deserted after the last consignment had been landed, and the next persons to come aboard the Frolic were those in the posse under the deputy marshat. Duncan and Jenkins could not have escaped if they had so desired. There was no means of getting ashore, and it would have been difficult for the state of the sailed the vaccht out.

cult for them to have sailed the yacht out of the harbor alone. Several hours after the two men had been board the vessel, the police captured another man who is charged with having a hand in the snuggling, and from him too they got a statement. He said his name was John C. Lehenman and that he lived at 3 St. Charles street, Boston. Recently he was in Hancock, N. H., when a mystericus message came to him. The letter was potmarked Newfoundland, he said, and arrested, as they were vainly waiting on board the vessel, the police captured an-other man who is charged with having a

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told him to proceed to Providence and register at the Narragansett Hotel. A stranger would meet him, it went on, with a fine air of mystery and strong suggestion of dark deeds, bringing with him a note of intro-duction.

Lehenman said he obeyed and registered as J. C. Leonard, which was also in accord-ance with his instructions. Last evening the stranger came and asked him, he told

ance with his instructions. Last evening the stranger came and asked him, he told the police, to go aboard the Frollo. He agreed and shortly after nightfall the two went out to the vessel. The plan to get the Chinamen achore was explained, it seems according to this version, and after Lehenman had acquiesced, the work of landing the Frollo's cargo began.

After the first squad had got ashore, the prisoner said, he led them cautiously through the most deserted streets and passed them silently one by one through the side door of a store on Empire street, which was opened just wide enough to let them in to the pitchy blackness of the hall or room within. Returning to the ship, Lehenman declares, he waited until twelve more had been put on land. Then, he said, he started out to pilot them also to the Empire street place.

They had almost reached there when, by some common impulse, the crowd made off down the street from him. He says that he believed that the bewildered aliens took alarm at something or some one they saw.

believed that the bewildered aliens took alarm at something or some one they saw. At all events, Lehenman says, he concluded that he had had enough of that night's business, and taking to his heels swung onto a trolley oar and rode out into the country. It was through information furnished by the conductor of the car that he was caught.

was caught. was caught.

Jenkins, Duncan and Lehenman were ar-raigned before United States Commissioner Cross charged with unlawfully conspiring to bring the Chinamen into the United States in violation of the exclusion act. They pleaded not guilty and were held in \$2,500 each. Later they were taken to Boston for examination before the United States au-

thorities there.

thorities there.

The Chinamen who were captured had letters on them addressed to Wing Kee, 873 Amsterdam avenue, New York city, and Chan Kew, 1402 Union street, Brooklyn.

Boston, Oct. 10.—Complaints charging conspiracy to smuggle Chinamen into the country contrary to the United States statutes were made to-day before United States Commissioner Hayes by Assistant United States Attorney Garland against William Duncan and John C. Lehneman, two of the men arrested at Providence this morning in connection with the seizure two of the men arrested at Providence this morning in connection with the seizure of the Frolic. A complaint had previously been made against Fdward Jenkins, who is also under arrest, and against Capt. Harbert F. Colby, alleged to be the master of the Frolic, who escaped.

Although the capture was made in Providence and the men were smuggled in within

dence and the men were smuggled in within the boundaries of Rhode Island, Federal officers here claim jurisdiction on the ground that the alleged conspiracy was hatched here that the Frolic left this port for its cargo of Chinamen, and that several overt acts of the conspiracy were com-

mitted within this jurisdiction.

Inasmuch as the conspiracy charge is much more serious than that of plain smuggling, the Federal officers hope to suspiracy. smuggling, the Federal officers hope to sustain a prosecution on this charge. It is the present intention to bring the captured Chinamen to Boston, to hold them as witnesses in case the alleged principals were brought within this jurisdiction. Capt. Colby, master of the Froic, is a resident of South Boston, and is known to all the yachtsmen who have much to do with the pleasure fleets lying off City Point.

A reporter called to see Wing Kee, whose name was on the letter found on the China-men supposed to have been smuggled in by the Frolic. Wing Kee is the proprietor of a laundry. The place was guarded by four of his pajama liveried attendants, who wielded American flatirons in Chinese fash-

"Is Mr. Wing Kee in?"
"Is Mr. Wing Kee in?"
"No, he is not in. What you want?"
"I want to see Mr. Wing Kee about some private business—important."
"No, he not in. You tell me. Maybe I find him."

I find him."
The visitor explained "Chinamen landed at Providence—had letter for Wing Kee. I come to ask him about it."
"Wahkee Aovkong Long Wing Hang-Chiow—where's letter?"
"No letter here, you take me see Wing Kee."

All four jabbered a while and then one Chinaman with a cutaway chin and a big head lifted the skirt of his pajama shirt and rubbed his brown skin pensively, which act, be it noted, is the Chinese substitute for the English scratching of one's head while

ine English scratching of one's head while in deep thought. Then the interpreter of the four spoke.
"Wing Kee go away. He not here. I no know where. He go Sunday. No been here this week."

"Yes, but you just said you would take me to him if I brought Chinese letter." "Ah, me no speak Engleesh."

The visitor tacked.
"You know Chan Kew?"

"Yes, he my cousin."
"What your name?"
"Ahwanahowoulong Tong Ahow—me no speak Engleesh."

And Wing Kee's pajama brigade resumed

SEND NEGROES NORTH-TILLMAN Senator Declares They Ought to Live Where

LITTLE ROCK, Ark., Oct. 10.—Senator Tillman of South Carolina delivered an address here to-day on the race question. Among other things he said:

"A crisis is approaching-aye, it is herewhen the white men must rule the Southland of ours regardless of all the Yankees

between Cape Cod and hell. "Here I will say a thing which is necessary, but which I regret to say. I believe it was and is the purpose of the politician in the North to so amalgamate the two races in the South as to make us all part negro. The Southern women are standing guard at the door of the temple of race purity and the men are aiding in the amalgamation. There can be no dual standard of

home life in this country. "We demand, and rightly, too, that our women be pure. They are with us, and by the living gods, a white man who will not stand with us should be made to live forever with the wretches with whom he de-

lights to associate.

"I would like to have all the negroes move to the North. In fact I have a scheme by which I believe it is possible to compel many of them to go there, where they appear to be loved so dearly, where the President of the United States has sat down and eaten with one.

"This association of white men with

and eaten with one.

"This association of white men with negroes oftentimes starts the demon in the negro, which ends in an assault upon a white woman. The negro is led to believe that if he is as good as a white man, why not associated as a white woman, and then he as good as a white woman, and then he soon dangles from the end of a rope—if there are men with grit enough to do their duty.

"Now for the remedy. In Europe, where every one is white, all persons must show their papers. I believe the passport sys-tem in America would abolish ravishings.

SWEETSER'S BILL FOR CLOTHES

JUDGMENT AGAINST MAGISTRATE IS TEN YEARS OLD.

Only \$15 Has Been Paid on It -- Unsuccessful Fight of Tailors' Lawyers to Have Him Punished for Contempt-City Court Justice Fitzsimons Refused to Aid

There is a firm of tailors in this town which is puzzled to know why a city Magistrate, whose salary by law is \$7,000 a year, cannot pay a balance of \$144.35 on a judgment for \$159.35, obtained nearly ten years ago. The tailor firm is Parsons & Wallander of 353 Fifth avenue. The Magistrate is William A. Sweetser, who was once before the police courts in connection with the charges of extortion made by Samuel E. Keller, growing out of the Dean bucket shop failure, and who also figured conspicuously in certain phases of the Dodge-Morse scandal.

Magistrate Sweetser is not the Magistrate whose I. O. Us. and N. G. checks are circulating freely about town, but the tailoring firm to whom he owes money for clothes are wishing that there was some rule of discipline adopted by the Board of Magistrates, such as exists in the Police Department, whereby a city employee may be made to pay his debts or take the consequences.

The reason for this is that by a tangle in procedure, growing out of the unwill ingness of a city court Judge to proceed against Sweetser, and the unwillingness of a Supreme Court Justice to mandamus the city court Justice to do his duty, the judgment has fallen by the wayside, so far as ordinary attachment proceedings go to collect the debt, and no course now seems open except to hope that some day Magistrate Sweetser will settle of his own accord out of his \$7,000 salary.

Sweetser used to be an assistant to the Corporation Counsel and had many friends in and about the County Court House. On March 9, 1897, Parsons & Wallander the firm being composed of Truman Parsons, James Scarlett and Adolph W. Wallander, obtained judgment in the City Court for a bill for clothing amounting to \$105. The costs and incidentals brought the judgment up to \$159.35, on which Sweetser in the nine and one-half years that elapsed has paid \$15.

When the judgment creditors found that they could not collect the judgment against Sweetser their lawyer, Stephen B. Brague, got out an execution against his property. The Sheriff returned the execution unsatisfied, reporting that he had found nothing on which a levy could be made, Sweetser at that time had an office at 41

Following the execution Mr. Brague, who was being assured by Sweetser in correspondence that the matter "would be attended to fully as soon as possible, applied to Robert A. Van Wyck, then Chief Justice of the City Court, for an order directing Sweetser to appear for examination in supplementary proceedings. The order was granted and Sweetser did appear, but he pleaded for time, and the examination was adjourned again and again, until at last Brague's patience was exhausted. On one adjourned day, April 13, 1898, a year and a month after the judgment had been obtained, Sweetser did not appear and his default was noted. Then Brague, who had felt reluctant to drag into the public view that the later of the public view. a brother lawyer's failure to pay a tailor bill, demanded from Sweetser an imme-diate settlement. Sweetser failed to pay, and was told that he must meet the in evitable consequences.

evitable consequences.

Brague took no open action till after the summer vacation. In October he went before Justice W. M. K. Olcott in the City Court and got an order directing William A. Sweetser to appear and show cause why an attachment should not issue against his an attachment should not issue against his person because of his failure to obey the former order of the court directing him to appear for examination in supplementary proceedings. This order of Justice Olcott's was served on Sweetser and was ignored.

On the return day Mr. Brague had this second default noted, and then drew up second default noted, and then been the necessary papers for an attachment. Sweetser's counsel pleaded to the court that he had been unable to appear on the return day because of illness. But as no action was taken by Sweetser to reopen

action was taken by Sweetser to reopen the default Mr. Brague submitted his attachment papers to Chief Justice Fitzsimons.

It is the ordinary prectice for such papers to be signed as a matter of course and indorsed on the back by the Judge to whom they are presented. Following this ordinary procedure Justice Fitzsimons appended his signature to the attachment papers, but for some reason, rossibly a rush of business for some reason, possibly a rush of business on that day, forgot to indorse them. The next day Mr. Brague drew this to the Chief Justice's attention and asked him to make the usual indorsement, directing the Sheriff to keep Sweetser in custody until he should

Justice Fitzsimons looked at the body
of the attachment when his attention was of the attachment when his attention was called to the paper and was surprised to see that it contained the name of William A. Sweetser. His face flushed a little and he asked abruptly why the proceedings had been delayed since the preceding April. Mr. Brague started to explain that he had wanted to be as lenient as possible with Sweetser, and the Justice deliberately drew his pen through Sweetser's name and tossed the paper, which he had already drew his pen through Sweetser's name and tossed the paper, which he had already signed, back to Brague. The later protested, but Justice Fitzsimons declined to listen to him, declaring that he would sign no paper that would bring Sweetser into court for contempt. The more Brague protested the angrier the Justice became, and he finally ordered Brague away, telling him that he might go to Justice Conlan if he chose. Justice Conlan had noted the Sweetser default.

Under the law Brague could not apply

Sweetser default.

Under the law Brague could not apply to any other Justice for relief, because it is an essential part of such applications that the applicant must affirm that no similar application has been made previously to the Court. Brague thereupon was compelled to make application to a Supreme Court Justice for a mandamus compelling Chief Justice Fitzsimons to issue the attachment. It is a rare proceeding to the attachment. It is a rare proceeding to ask one Judge to order another to do his duty. Brague applied to Justice Leslie W. Russell, from up the State and then sitting in this division by designation of the Governor. Friendly relations existed between the two Justices and Justices Russiand between the two Justices, and Justice Russell was reluctant to issue the mandamus. He said it was most unusual. Justice Fitzsimons, as a city official, was represented by Charles Blandy of the Corporation Coun-sel's office, where Sweetser had been em-ployed. The result was that Justice Rus-sell refused to issue the order, and Brague and his clients were left high and dry and without the usual repredies to an force are

without the usual remedies to enforce payment on a judgment which had been obtained nearly two years before.

The judgment still remains unsatisfied, but the court records show that Sweetser paid \$15 on it several years ago. His salary, the tailors believe, is now sufficiently high to enable him to make at least a partial payment, especially as he has been drawing regular instalments of it for several months. Justices Fitzsimons and Russell

Brooklyn Man Dies in Boston Ambulance, Boston, Oct. 10.-A man who had papers in his pockets which indicated that he was Edward S. Robinson of Brooklyn was taken sick and fell unconscious on Tremont street this afternoon. He was put in an ambulance to be taken to the hospital, but died on the way. The man was about 70 years old and well dressed. His body was taken to the City Hospital morgue. It is supposed that death was due to heart

CHICAGO, Oct. 10.-Sir Thomas Lipton left Chicago this afternoon for Green Lake, Wis., where he will be the guest of Edward Morris. In the party are a dozen or more Chicagoans and others.

ENGLAND'S NEW WARSHIP TYPE. Cruiser's Speed and Broadside Fire Equal

to That of the Dreadnought. Special Cable Despatch to THE SUN LONDON, Oct. 11 .- The Telegraph says it learns that the three so-called armored cruisers, the Invincible, Inflexible and Indomitable, which are now being built on the Clyde and Tyne, are in reality a new type of battleship, having a broadside fire equal to that of the Dreadnought and a much higher speed. The paper says they will be the most wonderful ships ever built for any fleet, having greater offensive power than any two battleships now in comm combined with extraordinary speed.

There has been more or less mystery regarding the vessels since they were authorized in the spring of 1905, as was the case with the Dreadnought, and the present evelations come as a surprise.

The new ships will be of 17,250 tons, compared with the Dreadnought's 17,900, but they will be 40 feet longer. Their breadth will be 334 feet less than the Dreadnought's Each will carry eight 12 inch guns, against the Dreadnought's ten, but their broadside fire will be identical, as the Dreadnought is only able to fire eight of her guns in broadside, while the new vesesls can fire all of theirs.

They will be equipped with turbine engines designed to develop a speed of 25 knots, but it is likely that on their trials they will develop 27. To provide for this high speed something in the weight of armor has been sacrificed, but otherwise the hulls will be constructed on the same principle as the Dreadnought's. The object seems to be to enable them to overtake any foreign cruisers and sink them by their tremendous concentrated gun

It is expected that they will be launched soon. When completed they will probably have cost £1,750,000 each.

CROKER'S PLEA IN LIBEL SUIT Declares He Received No Monetary Benefit From Tammany Hall.

Special Cable Despatch to THE SUN DUBLIN, Oct. 10 .- Leave was granted today to serve a writ out of the jurisdiction of the Dublin courts in the libel suit which Richard Croker has brought against the London Magazine for publishing an article upon New York politics in which Mr. Croker's methods are compared with those of Boss Tweed.

Mr. Campbell, K. C., in applying to Justice ibson for the writ said that Messrs. Carr & McCay, the Dublin agents for the Amalgamated Press, had already been served with a writ and that the purpose of the present application was to serve a concurrent writ on their principals. Counsel, explaining this action, said that the statements made in the London Magazine of October were entirely false.

Mr. Croker, he said, had never derived any money or money's worth from his connection with any Democratic organization in New York, including Tammany Hall, save and excepting the salaries which he received from the different offices he held in the civil administration of New York. So far from having at any time used his position for the purpose stated in the article complained of, he had never, as a directly from his connection with Tammany Hall. Nor did he at any time blackmail, bribe, corrupt or suborn any person

SHAW ON HIS "DEATH PLAY." Says the Theatre Will Be Damp With Tear

LONDON, Oct. 10.—G. B. Shaw, interviewed regarding the play "The Doctor's Dilemma," which he is writing in response to William Archer's dictum that Mr. Shaw would never rank as a dramatist of the highest class until he placed death on the

"It's a cheap job, and is utterly unworthy of my powers. So far as death being the supreme test of an author's ability it is the crutch of every dramatic cripple, the onion of every dramatist who cannot pump up a real tear. Life is the important thing. Who cares how, when or where anybody

Mr. Shaw added that there would be lots of pathos in his play. The theatre, he declared, would be damp with tears and windy with sniffs. The fourth act would give London rheumatism. People would have to bring their brains with them,

ITALY AND TRIPLE ALLIANCE. Friendship for Great Britain Makes Situation Embarrassing, Says "Messagere."

Special Cable Despatch to THE SUN. ROME, Oct. 10.—Il Messagero declares that the forthcoming visit of the German Foreign Secretary, Baron von Tschirsky, has for its real object the discussion of the question of the renewal of the Triple Alliance. The Messagero says:

"Italy is in an embarrassing position, owing to her strong friendship for Great Britain, who perhaps may be compelled to arrest by force the menacing development of the German fleet. The Italian Government is face to face with a great responsibility."

A contract for the furnishing of an entire supply of new guns for the Italian artillery has been awarded to the Krupp Company. The sum involved is \$11,440,000.

OUR ATTITUDE IN TURKEY. Uneasiness on the Question of Increase in the Customs.

Special Cable Despatch to THE SUN. LONDON, Oct. 11 .- A despatch to the Telegraph from Constantinople says there is considerable uneasiness in official circles regarding the attitude of Mr. Leishman, the American Ambassador, toward the increase in the customs. After presenting his credentials Mr. Leishman will approve the surtax as regards American products on the Porte's acceptance of certain American demands.

Wireless Telegraph Conference Dispute.

Special Cable Despatch to THE SUN. BERLIN, Oct. 10.-The British delegates to the international wireless telegraph conference say the story printed in London this morning to the effect that Great Britain was practically isolated in the conference on the question of monopoly and that there was a split between the British delegates is untrue in every par-

DOG AND BIRD DAY IN COURT.

TANGLE OVER CANARY CHANGE-LINGS UNSOLVABLE.

One Biting Dog Had No Teeth and Another Was Ready to Move-Cheap Mongret With Expensive Appetite-Problems That Would Puzzle Solomon Himself.

A free animal show was given in the West Side police court yesterday morning, with five star performers-two canary birds and three dogs. Magistrate Steiner acted as ringmaster, and all the show lacked was the elephants and monkeys

Mrs. Frank J. Dwyer of 256 West Eightyfourth street, through her husband, obtained a summons for the Misses Isabe and Jemima Brown, whom she accused of making a swap in canary birds to which she had not consented. Walter R. Hensey, a lawyer, living at

the Ansonia, who owned one of the birds was present as a witness. Mr. Dwyer carried a bird in a cage; so did Miss Jemim Brown. The songsters were set down in front of the Magistrate and soon were chirping pertly.

Miss Jemima Brown said Mrs. Dwyer

had come to her to have some gowns made.
"She says to me, 'Miss Brown, could you suggest a good color to wear, now that winter is approaching?' Then I said, 'Gray would be very stylish.' Then she got some gray samples, and I——

"Kindly get down to the bird part, madam.

I haven't had a chance to read up on fall

fashions," said the Magistrate. "Well, anyway, she selected the gray. What a dear,' she said, as she looked at a beautiful Hartz Mountain canary bird of Mr. Hensey's we were taking care of during his absence from the city. 'Won't you let me take it up to sing with Petey, my

"'Certainly,' I said, "'but don't let the darl ing suffer. Take good care of him.'
"Several days later Mrs. Dwyer returned the bird, but it was not Mr. Hensey's canary-It was Mrs. Dwyer's bird in my cage." Excitement was at fever heat and all

oncerned in the case started talking at "Order! Order!" shouted Policeman Mal

Mrs. Dwyer denied changing canaries. She declared that after she had returned Mr. Hensey's bird Miss Brown came to her apartment and carried her Petey off, cage and all. "I couldn't chase her, because I was in

my nightgown," she concluded. Magistrate Steinert, a bit nonplussed as he looked at the birds, which were as much alike as two fence posts, asked for means of identification of the property.

"The new bird wouldn't talk to me; Mr. Hensey's bird did," said Miss Isabel Brown "If you would let me, Judge, I could prove it's mine because the bird will cuddle up and go to sleep," suggested Mrs. Dwyet. "No, we can't have that sort of business, inswered the Court.

Mr. Hensey said he thought the bird Miss Brown claimed was his bird because it had no dark feathers.

"See, he answers when I whistle," be "So does the other," said Policema

"So does the other," said Foliceman Birmingham.
"I know, but see how it looks at me."
Then to the bird, "Tweet-tweet; you're a nice Dickey—pretty Dickey. See, Judge, he knows me," said Hensey in glee.
A maid in his employ also identified the bird. By this time all participants were thoroughly mad and the spectators fairly amused. The Magistrate had to rap for order.

"Your Honor," put in Miss Jemima Brown, desperately, "we did not steal that bird." The case was then dismissed for lack of

evidence.

Mrs. Annie Kenny of 407 Ninth avenue said Peggy, a fox terrier pup belonging to John Cusick of 426 West Fifty-sixth street, had bitten her little boy, Freddy, on the leg. Cusick carried Pezgy in his arms. It was discovered that the dog teeth, so the case was thrown out. Sporty, a wise looking yellow dog owned by Mrs. Mary P. Shirly of 110 West 109th street, was the next prisoner. He was accused of taking a bite at the small sen of

G. W. Lucas of the same address.

"You'll have to remove the dog, Madam,"
cried the Magistrate. "We'll obey, Judge-we are all going to move-client, dog and all," cried her

P. McGarry of 129 West Sixty-third street wanted \$38 for table board supplied to Miss Margaret Gage's mongrel, Betty. Miss Gage, who lives at 121 West Sixtieth street, demurred.
"How much is the dog worth?" asked

the Magistrate.

"About 25 cents," replied McGarry, dis-dainfully. "However, he is a fancy eater. I charge at the rate of \$12 a month for his "Including tips I think \$2.50 a month would be about right," said Magistrate Steinert. "Here, Policeman Glennan, allow no more animals in the court room. Save

a few for the afternoon performance." LOCKED OUT OF HER HOME. Police Arrest Woman Who Tries to Enter

House in Litigation Mrs. Annie K. Daniel, 32 years old, was arrested on the stoop of her house at 202 West Eighty-second street last night by Policeman Frank Brady of the West Sixtyeighth street station house, charged with disorderly conduct and causing a crowd to

Mrs. Daniel was well dressed and is said to be a woman of education and means. Her husband died about a year ago, and among other properties left her the house where she lives. Through Lawyer John Connelly she says she was persuaded to sign a quit claim to W. Edward Kelly, who desired to purchase the place. She then sued for repossession, not being satisfied with the terms, and the suit is now pending. She lives in the house, as does Connelly,

ilso, and she alleges tha every time she leaves the place she is locked out. Besides this, the woman declares that she is being persecuted in all sorts of manners, such as having her gas and water shut off. She says that last Friday, while a friend was attempting to admit her to the house, J. B. Gilmartin, the janitor of the place, assaulted the woman Sne attempted to have Gilmartin arrested, but he alleged that the injuries to her friend were purely accidental. Mrs. Daniel had Gilmartin summonsed to the West Side police court yesterday, but Magistrate Steinert would not sustain the charge. When Mrs. Daniel returned horse last but Magistrate when Mrs. Daniel returned horse last night from court she alleged the doors were again locked against her and Policeman Brady alleges that she was raising a dis-turbance on the stoop when he passed the

Mrs. Daniel was able to secure bail readily and asked that an officer be sent to accompany her home. She told Sergt. Stevens that she was going to smash in the door with an axe. The police told her they would tolerate no such move. She then decided to spend the night with friends at 126 West Eighty-sixth street, which house she says

Asylum Inmates Start a Newspaper

Special Cable Despatch to THE SUN. VIENNA, Oct. 10 .- The inmates of the new insane asylum at Maueroeling, the largest mad ouse in the world, have started a new oper. The first number proudly deck es that t is published "by the mad for the mad." Nevertheless the contents are astonishingly sane.



For walking especially-Covert coats hold a place always, no matter what new

overcoat styles come and go. So beside the newer shapedback Fall overcoats, the paddocks and raincoats, we have ample stocks of knee length coverts.

Nothing wears better. Coverts, \$16 to \$32.

ROGERS, PEET & COMPANY. Three Broadway Stores. 842 258 at at 32nd st. Warren st. 13th st.

Woman Seeks Divorce on That Ground

After Twenty-one Years.

Los Angeles, Cal., Oct. 10 .- Alleging that

her husband has negro blood and that she

only discovered it after being married

twenty-one years, Mrs. Mary H. White appealed to Judge Walter Bordwell to dis-

solve the marriage tie that binds her to

Albert White, an insurance agent, and also

o give her the custody of her minor children.

The chief allegation, supported by affi-

davits from Brownsville, Tenn., is that

White is a mulatto, whose real name is

Fitzpatrick. Judge Bordwell wanted more

light on the case and asked Mrs. White's

uttorneys to submit legal authorities as

o the status of a mulatto and the definition

White on the stand said that his mother,

"Was your mother a white woman?"

"When you saw your mother, who was she married to?"

"I don't know. I don't remember.

"I don't know that," said the witness.

FIND ANCIENT SLAVE PENS?

Philadelphia Excavation Reveals Prison

Believed to Have Belonged to Girard.

PHILADELPHIA, Oct. 10.-Subway work-

nen digging deep beneath Water street

above Market for the new tunnel station

uncovered at a depth of 100 feet what is

composed of narrow cells in three tiers,

with three foot corridors between the heavy

Heavy iron bars covered the windows,

and in each cell were manacle supports.

Directly above them is the house of Stephen

Girard, the eccentric millionaire who gave

Girard College to Philadelphia and whose estate is now valued at hundreds of millions. It was in tearing down this house, which

Girard Trust, that they came across the

It has long been handed down in local

gigantic fortune came from dealing in

negroes.

As soon as the discovery was made the whole board of trustees of the Girard Trust flocked down to the dungeons. They were not allowed to examine them, but will to-

Girard came to Philadelphia in 1776. In

WEAVER FIRES DIRECTOR HICKS.

PHILADELPHIA, Oct. 10 .- Mayor Weaver

this afternoon sent to Director of Public

mies, notably Edward A. Van Valkenburg,

through whom the Mayor lost both the nom-

ination for Governor and the nomination for

District Attorney for his friend, Frederick J.

Shoyer, are the informal charges against

The demand caused a sensation, notwith-

standing that it had been expected for

three weeks. When seen at 5 o'clock Director Hicks refused to make public the Mayor's letter. He said he would first frame his

answer.
It is understood that a long typewritten letter or report which Hicks sent to the Mayor early in the day stung the latter, and precipitated the demand for the Director's official head.

when the Durham ring was smashed,

Political Opponents.

Philadelphia's Mayor Getting

resignation.

clearly an old slave pr

didn't inquire," White stammered.

that she was married that you know?"

The Court finally refused the divorce

of the word.

his mother.

sked Judge Bordwell.

WOULD REVISE TARIFF NOW. SAYS HUSBAND IS A MULATTO. Senator Beveridge Says There Are Sched-

Especially for walking-

s the real test of a shoe.

Other \$5 shoes.

weather.

opposite

"Pedestrian" shoes were de-

signed, and comfort in walking

It's a good looking last, too.

The "Two-shoe Shoe" for low

The "Double" shoe for wet

ROGERS, PEET & COMPANY.

Three Broadway Stores.

City Hall. Union Square. Greeley Square.

842

near

1260

opposite

ules That Need Attention at Once. Boston; Oct. 10 .- Senator Beveridge of indiana, in a statement to-day, denies all knowledge of any agreement to change the tariff at an extra session of Congress in March, 1909, but comes out flatfooted, as he has on the stump at different times, for an immediate readjustment of certain

schedules.

The proper way, in his opinion; to prevent a disastrous "tear up" of the tariff is to make changes when conditions demand them and not to wait until "their unwisdom and injustice get so acutely on the minds of the people that they begin to distrust the whole system and give ear to its enemies."

"I know nothing whatever," said the Senator, "of any such agreement as that to which you refer, but speaking for myself alone I think some schedules should be readjusted and have no doubt they will be.

be readjusted and have no doubt they will be.

"We should meet conditions as they change and not wait until a great mass of needed reforms accumulate and cause a pressure that will require a sweeping and disastrous revision, for complete overhauling of all schedules always pesults in at least temporary business demoralization.

"But I never heard of such an agreement and doubt if such an agreement exists. Who would make it? Who is authorized to make it and what is the difference anyhow. when he last heard from her, fifteen years ago, lived near Brownsville, Tenn., but he did not know her name since her last "I always supposed so. She looked that way to me when I last saw her in 1891."

make it and what is the difference anyhow, since the readjustment of some schedules is certain within two or three years at the very latest? That readjustment ought to be made even earlier—indeed ought to Le made right now."

"What was her name after the last time SENATOR BAILEY'S REPLY The judge admonished the witness of the To Texas Atterney-General's Refusal to Accept His Aald as a Trust Buster.

penalty for perjury, but White insisted that his life had been largely away from DALLAS, Tex., Oct. 10 .- Senator J. W. Bailey to-day replied to the letter of October 6 from Attorney-General Davidson, in which the latter inferentially discounted Mr. Bailey's offer to testify or aid the State as counsel against the Waters-Pierce and Standard Oil companies.

Bailey in resenting Davidson's allegation in the State's petition concerning "political influence alding the Waters-Pierce Company uses this expression."

all the innuendo allegations that have been made, intelli-gent readers could only construe that

gent readers could only construe that passage in your petition to mean that Mr. Pierce's political influence in Texas was to be exerted through me."

Speaking of his offer to testify, which Mr. Davidson had substantially declined, Mr. Bailey concludes his letter as follows:
"I am constrained to believe that if the defendant admits its misrepresentations, as you say it will, it will do so because it understands that I can, and will, testify to them. If, however, it does not please you to avail the traction company had bought from the If, however, it does not please you to avail yourself of my testimony, the people of Texas will understand your reasons." history that Girard drove a brisk slave trade and that some of the basis of his



HELP WANTED-MALE.

A.A.A.—AGENTS AND SALESMEN WANTED—I have six men in these offices who have never drawn together for any single week since we began seiling this operation less than \$3,000 as their share of commissions earned; that is an average of \$600 apiece or more. One of them drew \$1,700 one week, while another drew \$1,100, and three or four of them run up to \$700 or \$900 each week in actual money drawn as their share of commissions earned. Give full particulars and I will reply likewise. BENJAMIN, P. O. box 321 New York city.

PORTER—White, one who can assist in shipping stoves, ranges and heaters; none need apply unless familiar with the above line; steady position and chance for advancement to one not afraid of work; \$12.00 weekly start. JOHN M. WOLF CO., 742 Flushing av., Brooklyn, N. Y.

WANTED—Industrious, sober men, with good references, for ward and general work at Bellevue Hospital, 26th Street and First Avenue. Apply to GENERAL MEDICAL SUPERINTENDENT, between nine and ten o'clock.

FIRST CLASS MACHINISTS wanted for latheboring mills, planers and erecting work. Apply at works, FORE RIVER SHIPBUILDING CO. Works Thomas L. Hicks a demand for his Hicks up to the time of closing his office had not complied with the request. Consorting with Mr. Weaver's political ene-

WANTED-In office of warehousing and forwarding, boy about 16 years old, to learn the business salary to start \$4.00. Address W. B., Box 106 Supoffice. WANTED-Bright American boy about eighteen; office work in commercial house. Address in own handwriting F. P. P., P. O. box 1168, New York.

ERRAND BOYS wanted; must furnish references, pply early, basement entrance. JOHN LYNCH, and 4 West 33d st. BOY wanted, DITSON & CO., Box A, Station O.

HELP WANTED-FEMALE. BEST & CO.,

60-62 WEST 23RD ST., require intelligent cash girls; good opportunity for advangement.

WANTED-Women as cleaners and general helpers in the wards of Bellevue Hospital. 26th Street and First Avenue; 25th amonth. Apply to GERAL MEDICAL SUPERINTENDENT, between

official head.

Hicks paid three visits to Mayor Weaver's office within the day. On one of these official calls he remained for an hour. On coming out he dropped no hint that his resignation had been demanded.

While it is probable that Director Hicks's tartness gave the Mayor his opportunity, the tip was given at the office earlier that there would probably be something doing before the close of the day.

Samuel Crothers, President of Select Council, and John R. Hathaway, Assistant Director of Public Works, have both been mentioned as Hicks's successor.

Hicks, who was former postmaster of Philadelphia, is one of the practical politicians who engineered the City party, the reform organization which came into being when the Durham ring was smashed. LOST, FOUND AND REWARDS.

LOST—Bank Book No. 2261 on Jefferson Bank Canal and Forsythe sts., N. Y. City, finder return to